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SUBJECT: GREECE: LAW ENFORCEMENT AND COUNTERTERRORISM
INFORMATION-SHARING AND DATA PRIVACY ISSUES WITH EUROPE

REF: STATE 8403; BERLIN 128

CLASSIFIED BY: Deborah McCarthy, Charge d'Affaires, a.i.; REASON:
1.4(B), (D)

11. (C) Summary: Greeks are concerned about the privacy of data involved in law enforcement and counterterrorism information sharing with the U.S., as would be expected in a country with privacy laws that are significantly stronger than the European norm. Nevertheless, it is possible to engage in low-visibility and necessary cooperation with Greece, as evidenced by the Greek government's signing of HSPD-6 and PCSC agreements in 2009, which we required for Greece to be eligible for the Visa Waiver Program (VWP). Parliament ratified these agreements with support from both major parties - the then-governing center-right New Democracy party and the now-governing center-left PASOK party - despite criticism from smaller parties. In general, mainstream Greek parties are not doctrinaire on these issues, though they try to be careful to minimize domestic political risk, and they do sometimes opportunistically align themselves with larger countries within the EU that take hard-line positions on certain data privacy issues. We do not believe, however, that most Greek governments or Greek MEPs would be willing to be the decisive holdout in blocking U.S.-EU information sharing. Following up on ref A demarche, we will continue to work with key Greek policy makers to ensure that they understand the benefits of law enforcement and counterterrorism information sharing and the flaws in some of the most common arguments against it. End Summary.

12. (SBU) We shared ref A nonpaper February 5 with the Greek government's point of contact for counterterrorism, MFA D1 (International Organizations) Directorate Counselor Dimitris Papandreou, who disseminated it to relevant colleagues within the government. We shared and discussed the paper February 17 with Ministry of Justice advisor on EU issues Iota Karatzaferi. We also reached out to selected Greek MEPs February 8 to express our position on the February 11 European Parliament vote on the Terrorist Finance Tracking Program (TFTP). The response from these contacts was positive, as is generally the case when we engage Greek officials on these subjects.

13. (C) Nevertheless, suspicion of information sharing programs such as these is an ingrained part of contemporary Greek political culture, as a result of the high priority Greek governments have put on privacy rights following the 1967-1974 junta period. This has left Greece with some of the most restrictive privacy laws in Europe, including a prohibition on the video recording of any individuals in a public space for any reason other than traffic control. These laws - though weakened in some areas by the previous government in a package of legislative amendments passed in June 2009 - continue to cause real problems for Greek law

enforcement. But despite the legal and political biases in favor of an extreme view of privacy rights, Greek officials generally take a much more nuanced view when it comes to concrete areas of international cooperation. They tend to be open to reasonable arguments, and at a fundamental level they are unwilling to take any position that would put them on their own - either isolating their party on the unpopular side of high-profile political debate within Greece or isolating Greece in an internal EU debate.

¶4. (SBU) The Embassy will continue to engage key Greek officials and opinion leaders, including MEPs with their new importance under the Lisbon Treaty in ratifying agreements, to stress the successful track record and the data privacy safeguards of existing information sharing mechanisms. We noted that a U.S. team of data privacy experts recently visited Brussels and perhaps other European capitals to engage on these issues (ref B), and we believe such a visit to Greece could serve a useful educational purpose for elites in the major parties and opinion circles. Many Greeks are instinctively suspicious of information-sharing programs, and this is likely to remain a political fact of life for a long time, but it does not have to be an obstacle to important U.S.-EU programs as long as we take the time to educate key Greek decision makers well in advance of crucial deadlines.

¶5. (U) Embassy Athens POC is Alan Purcell, PurcellAS@state.gov.
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